

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

I. Status of the Claims

Claims 6-11 and 14-21 were withdrawn from further consideration.

Claims 22 and 23 are added without the introduction of new matter.

Claims 1, 3-5, 12 and 13 are amended without the introduction of new matter.

Claims 1-23 are pending.

II. Rejections under 35 U.S.C. § 102/103

Claims 1-5, 12 and 13 were rejected under 35 U.S.C. §102(b) as anticipated by, or in the alternative, under 35 U.S.C. §103(a) as unpatentable over Kameo et al. (EP 0 88 791, herein “Kameo”). Applicants respectfully traverse that rejection.

Independent claim 1 is directed to an interlabial pad, and amended to recite, among others, the features that:

wherein the fiber aggregate includes

a first fiber aggregate located on an upper side of the interlabial pad in a vertical direction when the interlabial pad is worn by a wearer, having an average fiber length 25 mm to 50 mm,

a second fiber aggregate located on a lower side of the interlabial pad, having an average fiber length 3 mm to 6 mm, . . .

Support is found in, for example, the Specification at page 23, lines 3-5 and 12-14, and Figs. 3 and 4.

Because the average fiber length in the first fiber aggregate is 25 mm to 50 mm, and the average fiber length in the second fiber aggregate is 3 mm to 6 mm, the fibers in the present invention readily become entangled with each other, the interlabial pad can follow the motion of the wearer smoothly, and can reduce the feeling of a foreign-object felt by the wearer.

In contrast, Kameo describes, at page 5, paragraph [0052], the last two lines, that the fibers are preferably used in the form of short fibers, and that it is particularly preferred that the short fibers have a fiber length from 2 mm to 10 mm. In Table 1 of Kameo, Comparative Example 1 uses an elastic member with the fiber length of 51 mm. The Comparative Example 1 is found more distortable than the examples with fiber lengths of 5 to 7 mm, and thus not preferable. *See*, Kameo, paragraph [0102].

Although Kameo's short fibers are deformable, the absorbent article can only follow the motion of the clothing of the wearer, and not the wearer herself. Thus, Kameo's absorbent article will give the wearer the feeling of a foreign object between the labia, especially when the wearer moves. The fiber lengths as claimed in the present invention allow enough deformation to reduce the "foreign-object" feeling.

Kameo fails to teach or suggest that the fiber aggregate includes a first fiber aggregate located on an upper side of the interlabial pad in a vertical direction when the interlabial pad is worn by a wearer, having an average fiber length 25 mm to 50 mm, and a second fiber aggregate located on a lower side of the interlabial pad, having an average fiber length 3 mm to 6 mm.

Further, according to the present invention recited in claim 1, the interlabial pad has an elongated shape and a substantially elliptical cross section. Contrary to such features recited in amended claim 1, the shape of an absorbent article described in Kameo does not have a substantially

elliptical cross section.

Therefore, the present invention recited in claim 1 and claims dependent therefrom are patentably distinguishable over Kameo. Further, as discussed above, Kameo teaches away from the present invention recited in the present invention. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 1-5, 12 and 13.

Claim 5 and claim 23 dependent therefrom, are further patentably distinguishable over Kameo when considered in the context of claims 1 and 3 from which claim 5 depends. The feature of the interlabial pad with the third fiber aggregate is not taught or suggested in Kameo.

New claim 22 is further patentably distinguishable over Kameo when considered in the context of claim 1 from which claim 22 depends. The features of vertical heights of the first and second fiber aggregate recited in claim 22 are not taught or suggested in Kameo.

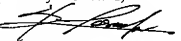
CONCLUSION

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

Dated: November 9, 2006

Respectfully submitted,

By, 

Hiroyuki Yasuda

Registration No.: 55,751

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant